

## **EXHIBIT A**

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Terri Pechner-James et al

C.A. #03-12499

V

City of Revere et al

**PLAINTIFF'S REQUEST FOR *ROOKER-FELDMAN* RULING AND FURTHER  
INSTRUCTIONS**

Now comes the Plaintiff, Terri Pechner-James, and moves this Honorable Court to provide the parties to the above-entitled action a ruling on the application of the *Rooker-Feldman* doctrine to the prior state adjudication of the Plaintiff's disability and its causation.

The Plaintiff states that the Massachusetts Division of Administrative Law Appeals and the Regional Medical Panel of the Massachusetts Public Employment Retirement Adjudication (PERAC), both adjudicatory bodies have determined that she is disabled and that the cause of her disability was the hostile work environment she experienced as an employee of the Revere Police Department.

The Plaintiff further states that the *Rooker-Feldman* doctrine precludes the defendants from litigating, in a federal district court, issues already decided by the state. The federal district court has no subject matter jurisdiction over these issues and other issues that are inextricably intertwined with them.

The Plaintiff states, finally, that *Rooker-Feldman* is jurisdictional; it cannot be waived, changed by agreement or amended by court order. The defendants' one hundred and seventy-eight (178) interrogatories propounded upon the plaintiff are an attempt (1) to use the federal rules of civil procedure to create subject matter jurisdiction where there is

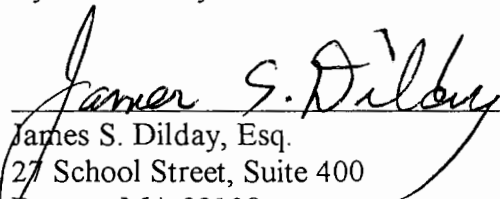
none, (2) to relitigate, in federal district court, both issues that have been decided and ones that are inextricably interwoven, and (3) to circumvent and undermine valid and binding state determinations.

WHEREFORE, the Plaintiff, Terri Pechner-James, requests that this Honorable Court find:

1. That the Massachusetts Division of Administrative Law Appeals and the Regional Medical Panel of the Massachusetts Public Employment Retirement Adjudication (PERAC), both adjudicatory bodies have determined that she is disabled and that the cause of her disability was the hostile work environment she experienced as an employee of the Revere Police Department; and
2. That said determination is protected by the *Rooker-Feldman* doctrine from relitigation in the federal district court; and
3. That all issues that are inextricably intertwined with that state determination are likewise protected by the *Rooker-Feldman* doctrine.
4. Such other relief as the Court deems just and proper, including but not limited to instructions on further proceedings in this case.

Terri Pechner-James

By her attorney

  
James S. Dilday, Esq.  
27 School Street, Suite 400  
Boston, MA 02108  
(617) 227-3470